

The Public's Health and the Law in the 21st Century
5th Annual Partnership Conference

Concurrent Session

Innovative Tools to Fight Gang Violence

Wednesday, June 14, 2006
10:30-12:00 pm

Moderator: David Nahmias, JD, U.S. Attorney, Northern District of Georgia, Atlanta, GA

Panel: Kim Dammers, JD, Assistant U.S. Attorney, Northern District of Georgia, Atlanta, GA

Anthony Iton, MD, JD, MPH, Health Officer, Alameda County Health Department,
Oakland, CA

Karen J. Mathis, JD, Partner, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Denver, CO;
President-Elect, American Bar Association

Patricia M. Speck, DNSc, APRN-BC, FAAN, DF-IAFN, SANE-A, Immediate Past
President, International Association of Forensic Nurses & Asst. Professor, University of
Tennessee Health Science Center College of Nursing, Nashville, TN

Session Purpose:

Violence is a significant--but largely preventable--cause of death and injury for young Americans and contributes to stark health disparities for racial and ethnic minorities. Gang violence and other types of violence, can be addressed successfully only in close collaboration with concerned members of the legal community. Legal issues implicated include immigration laws, drug laws, and RICO laws. In March, 2006, Attorney General Alberto R. Gonzales announced a new comprehensive anti-gang strategy designed to address gang membership and gang violence at every stage by integrating prevention, enforcement, and prisoner re-entry. The Comprehensive Anti-Gang Initiative complements existing Department of Justice programs to combat gangs, including the Violent Crime Impact Teams, Safe Streets Task Forces, and the Project Safe Neighborhoods (PSN) initiative.

The session will cover issues associated with the problem of gang violence from the public health and legal perspectives. Topics will include under-reporting and barriers to reporting, and legal tools to combat gang violence.

This panel of experts will provide multi-disciplinary, cross-cutting viewpoints to the issue of gang violence. U.S. Attorney David Nahmias and Assistant U.S. Attorney Kim Dammers have extensive knowledge and experience in this area, as the Department of Justice has a comprehensive anti-gang initiative. Their experience is complemented by ABA President Elect Karen Mathis' overarching perspective on youth at risk, a topic that will be a focus of her presidency. Forensic nurse Dr. Patricia Speck will discuss barriers to

reporting gang violence, as well as young women's initiation into gangs. Tony Iton brings his expertise as Health Officer for a large California County engaged in preventing and mitigating youth violence.

Learning Objectives:

By the close of this session, conference participants will be able to:

- Describe recent trends in gang violence;
- Identify the cross-cutting impact of gang violence, and the legal and public health issues implicated; and
- Explain and evaluate the activities, programs, and law-based interventions being used to combat the problem.

Session Convener:

The Public Health Law Program, CDC

Resource Materials:

A Guide to Assessing Your Community's Youth Gang Problem

National Youth Gang Center, 2002

<http://www.iir.com/nygc/acqp/assessment/assessment.pdf>

Addressing Community Gang Problems: A Model for Problem Solving

Bureau of Justice Assistance, 1999

<http://www.ncjrs.org/pdffiles/156059.pdf>

Epidemiology of Serious Violence

Office of Juvenile Justice and Delinquency Prevention, 1997

<http://www.ncjrs.gov/pdffiles1/165152.pdf>

COPS Innovations: Street Gangs and Interventions: Innovative Problem Solving with Network Analysis

Office of Community Oriented Policing Services, 2006

<http://www.cops.usdoj.gov/Default.asp?Item=1616>

Juvenile Justice Evaluation Center Gang Prevention/Intervention Resources

<http://www.jrsa.org/ijec/programs/gang/>

National Youth Violence Prevention Resource Center

Youth Gangs Information

<http://www.safeyouth.org/scripts/teens/gangs.asp>

Lesson Learned:

1. David Nahmias and Kim Dammers
Take-Home Message: The importance of data on gang-related activity.

As the panel and the resource materials demonstrate, there are many innovative strategies and specific tools for fighting gang violence. However, to determine the true scope of a community's gang problem and the effectiveness of the strategies and tools selected to fight it, community organizations should collect data that identify and track incidents as gang-related. For example, most law enforcement agencies track incidents by type of crime – homicides, aggravated assaults, drug trafficking, firearm possession, vandalism, etc. – but do not seek systemically to identify whether those crimes were committed by known or suspected gang affiliates or are crimes strongly associated with gangs, such as drive-by shootings or “tagging” graffiti. Similarly, emergency rooms track gunshot wounds, knife wounds, and drug overdoses, but most do not note whether those cases appear to involve gang activity or gang affiliates. Social service organizations track the services they provide, but few seek to quantify which needs are caused by and how many services are provided to gang affiliates.

This is not to say that community members who have experience with or first-hand exposure to gangs do not have useful information and opinions about gang issues. But developing systems to identify and track gang-related activity allows a community to quantify its gang problem and – more important – to help determine if the strategies and tools selected to fight that problem are working. If they are not, the plans can be adjusted. And if they are, gang-related data will help community organizations convince legislators, charities and NGOs, the public, and others to support effective anti-gang efforts.

2. Pat Speck Individuals

Gang culture permeates every aspect of life in America. The climate in which individual gang members operate can be altered.

The gang culture initiates young girls and boys with acts of physical and sexual violence against them and others.

The older children and adolescents are too young to understand that the lure of gang membership is connected to a high level of control and continued violence with sexual misuse that the gang will demand throughout their lives.

The young members accept sexual and physical violence as a method for solving conflict.

These sexual and physically violent crimes are compounded by the crises of normal adolescent development, sexual identity, and fractured family relationships.

Family

Many families do not have the resources to supervise their children and consequently the child becomes vulnerable to the initial seduction of acceptance offered by the gang.

Families are fractured when children are lured into the gang culture with a sense of failure and may look to the courts to help them solve the child's activities that they cannot control.

The submission to the belief that violence and potential death is normal in gangs should be challenged by building strength in the family, assisting structured supervision and meaningful rewards for ethical and legal choices and behavior.

Community

Research that focuses on programs and interdiction activities, changes in legislation, and the evidence based outcomes from interventions will provide the foundation for public health prevention actions.

Public health intervention should change not only the community's environment, but follow up with activities that are proven to diminish the incidence and prevalence of these types of violent gang activities, such as educational campaigns, after school activities, partnering with faith based communities, etc.

The take home point is to intervene before the cycle of violence is perpetrated by new gang members hoping to gain status among their peers.

Through community recognition of illegal gang activity and targeted interdiction with subsequent legislative changes that impact criminal and juvenile justice systems, gang members should be removed from their culture with swift interventions that promote accountability at the time of the criminal act.

Systems

Cultural norms within systems that respond to gangs are just beginning to acknowledge that girls and boys who are "sexed into the gang" are victimized.

Public policy and funding decisions about sexual and physical violence should focus on the intervention, prevention and the recovery of not only the individual and their family but more importantly, the community.

All interventions that respond to the gang activity will continue to tax already stressed medical, psychological, social, and criminal justice systems.

Federally funded prevention interventions for the children and adolescents that support families and communities who provide supervised healthy and safe activities, educational programs about the reality of gangs, behavior modification programs, encouragement and mentoring by leaders in the communities, and swift interdiction for the youngest at risk children will prevent gang activity and reduce the long term expense associated with increasing gang membership and their activities.